

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 3393 - HB 3788

February 14, 2012

SUMMARY OF BILL: Partially redefines “harassment, intimidation, and bullying” to specify that an objective standard will be used to determine whether a student has been knowingly placed in reasonable fear of physical harm to the student or damage to the student’s property. States that “creating a hostile educational environment” or “causing emotional stress” as utilized in this section is not be construed to include mere discomfort and unpleasantness that can accompany the expression of a viewpoint or belief that is unpopular, not shared by other students, or not shared by teachers and school officials. Removes the requirement that a local education agency’s policy prohibiting harassment, intimidation, bullying, or cyber bullying include a definition of these terms. States that such policies shall not be construed to infringe upon the First Amendment rights of students and shall not prohibit their expression of beliefs protected by the First Amendment. Requires harassment, intimidation, or bullying prevention task forces or programs to focus primarily on the conduct of the person engaging in the harassment, intimidation, or bullying rather than on the victim’s characteristics. Requires that reports of a threat of a physical or non-physical nature made by two or more students against the same individual be investigated by the principal, who shall report to the director and chair of the local board of education.

ESTIMATED FISCAL IMPACT:

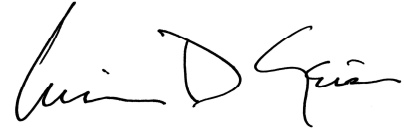
NOT SIGNIFICANT

Assumptions:

- Any increase in local expenditures to modify policies prohibiting bullying, cyber bullying, intimidation, or harassment will be not significant.
- Reports will be made by principals to the local board of education without an increase in personnel or a reduction in other budget items.
- No fiscal impact on state government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

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